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LEGISLATIVE HISTORY

Public Law 589--77th Congress

Chapter 349--2d Session

H. R. 5636

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DIGEST OF PUBLIC LAW 589

SETTLEMENT OF CLAIMS AND ACCOUNTS INCIDENT TO CERTAIN AGRICULTURAL ADJUSTMENT PROGRAMS.

Provides a final date (120 calendar days after enactment for filing claims in connection with agricultural adjustment programs and a date (180 calendar days after enactment) after which any unobligated balance of the appropriation, "Payments for agricultural adjustment," shall be covered into the surplus fund of the Treasury, except not over $25,000, which shall remain available thereafter for not more than one calendar year for administrative expenses incident to carrying out the acts. Authorizes the Comptroller General to allow credit in the accounts of disbursing officers and to refrain from raising a charge against the officers certifying vouchers for payments made in connection with such agricultural programs. Provides for disposition of claims on the part of the U. S. against persons who without fraud on their part have received payments under these programs in excess of the amounts to which they were entitled.

INDEX AND SUMMARY OF HISTORY ON H. R. 5636

September 11, 1941	H. R. 5636 was introduced by Rep. Fulmer and was referred to the House Committee on Agriculture. Print of the bill as introduced.
February 26, 1942	House Committee reported H. R. 5636 with an amendment. House Report 1831. Print of the bill as reported.
March 16, 1942	H. R. 5636 was discussed in the House and passed as reported.
March 17, 1942	H. R. 5636 was referred to the Senate Committee on Agriculture and Forestry. Print of the bill as referred.
May 20, 1942	Senate Committee reported H. R. 5636 without amendment. Senate Report 1359. Print of the bill as reported.
May 27, 1942	H. R. 5636 passed the Senate as reported.
June 5, 1942	Approved. Public Law 589.

Sept. 11

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77TH CONGRESS
1ST SESSION

H. R. 5636

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U.S. DEPARTMENT OF AGRICULTURE

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 1941

Mr. FULMER introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to expedite the settlement of claims and accounts incident to the agricultural adjustment programs in effect prior to January 6, 1936, under the Agricultural Adjustment Act of 1933 (48 Stat. 31), amendments thereto, and related legislation, no claim shall be considered or paid from the appropriation "Payments for Agricultural Adjustment" made by the Supplemental Appropriation Act, fiscal year 1936 (49 Stat. 1116), as amended, unless presented

77TH CONGRESS
1ST SESSION

H. R. 5636

A BILL

To expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes.

By Mr. FULMER

SEPTEMBER 11, 1941

Referred to the Committee on Agriculture

versive employees and members of subversive organizations which advocate the overthrow of the Federal Government does not separate them from the toil and sweat of the American people who do not want these enemies of our way of life on the Federal pay roll.

The Department heads do not consider 70 percent of the names given them by the F. B. I., your Government's highly trained and efficient fact finders for presentation of criminal cases, as worthy of any action to be taken by them, or worthy of any reply to the Department of Justice.

Here is the nub of what this bill I am introducing today will correct.

Mr. Biddle established the policy on October 22, 1941, as reported in the hearings on the supply bill, page 14. I quote Mr. Biddle:

Therefore, we said to the Department, "We will make the examination ourselves without giving you any notice. When the file is completed we will send the information to you, and then you must take action one way or the other."

This policy adopted by Mr. Biddle is not warranted in the face of the positive action of Congress in adopting the Jones amendment. The congressional action did not contemplate reporting the facts to the department heads, but to Congress. The report of J. Edgar Hoover shows that Mr. Biddle's unwise and unwarranted policy of reporting his findings to the department heads is fruitful of no results, and the people of the United States and Congress are hamstrung by the time it requires for Mr. Hoover to send his report to the department heads with 4-percent results. Remember, the department heads discharged as a result of the F. B. I. report 4 percent of the employees who have been reported, or 11 persons.

I have confidence that if the report is made to Congress forthwith, Congress will take positive action as the supply bills for each department, agency, and independent establishment are brought before it for consideration to eliminate the F. B. I. list of undesirable employees, since the department heads have failed to act on 95 percent of the cases.

I discussed this matter with the Attorney General on the 13th of January 1942 in regard to making an immediate report to Congress, and I quote from page 19 of the hearings:

Mr. JONES. I do not think it is a good idea, in view of some department heads having a tendency to turn under your reports on the ground of their being too busy to keep from reporting that to the Congress.

Mr. BIDDLE. I am not sure about that. I would like very much to get you gentlemen's view after talking to Mr. Hoover. I think it might be wise to make an immediate report. I am not at all sure.

Our first thought was that we had better do the substance of the job and give you the whole picture, particularly as I was new. I did not start until after October. But I would like to have your advice about that. It might be that Mr. Hoover has gotten to the point where now it would be a very helpful thing within the next 2 weeks to give you the progress of the thing. I would like to have your judgment after you talk to Mr. Hoover of just what you want.

What would your feeling be about that, Mr. Jones?

Mr. JONES. I think that the report ought to be made, in view of the fact that the time has run over such a long period since the first Dies committee report was made. I think that Congress sought to be able to take action in the way of a positive enactment during this coming session.

Mr. BIDDLE. Yes; I think I agree with you.

Forty-two days ago I said, "I think that Congress ought to be able to take action in the way of a positive enactment during this coming session," and Mr. Biddle agreed with me. However, after a lapse of 42 days, no report has been forthcoming.

Supply bills for several agencies are yet to be passed by the House and Senate. If this report is delayed further, Congress is losing valuable time in eliminating the enemies of our way of life from the Federal Government pay roll.

Bear in mind that to date the reports of the F. B. I. referred to were Federal employees originally on the Dies list. Some of them were reported over 2 years ago. Now they are reported again by the F. B. I. to the heads of the department, and only 4 percent of these enemies are off the pay roll. Three hundred and eighty-seven apparently ran when they saw the F. B. I. coming.

This is a little less than tragic, and I think stronger language would apply. Were we not in war I would use stronger terms in describing my feelings. I am not so sure that some positive action should be taken against department heads, agency heads, and independent establishment heads, who by inertia or otherwise refuse to take immediate action, both upon the Dies list and the F. B. I. report.

I sincerely hope that the committee to which this bill is referred will give it an immediate hearing and that Congress will pass the bill to preserve the American way of life.

If the F. B. I. report clears all these Federal employees to their entire satisfaction, it is just as important for Congress and the people to know that fact. The guilty should be fired and the innocent should have their names cleared now. One way or the other, Congress should have the F. B. I. report without delay.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. THOM, for today, on account of death in family.

To Mr. PEARSON (at the request of Mr. COOPER), for the remainder of the week, on account of illness.

EXTENSION OF REMARKS

By unanimous consent, Mr. MILLS of Arkansas was granted permission to extend his own remarks in the RECORD.

ORDER OF BUSINESS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to ask the majority leader when the bill relating to the Women's Auxiliary Army Corps will be taken up? There are very few women employed in war production or the war movement today. Very few compared with those employed in the World War and today the war is fraught with far greater danger to the United States. Hundreds of women have asked for a chance to serve their country by enlisting. Many women have asked to come in and hear the debate on the bill. Can the majority leader tell me when it will come up?

Mr. McCORMACK. As the gentleman from Massachusetts [Mr. MARTIN] knows, I am very anxious to bring the bill up.

Mrs. ROGERS of Massachusetts. I am sure of it.

Mr. McCORMACK. As a matter of fact, I announced several days ago that it would be brought up when a rule was reported out. Then three or four rules came out all together. I placed them in the order of their importance. I stated last week this present bill under consideration would be taken up first; then the war-risk property-insurance bill next, and the Rogers bill after that. That is the order. However, that order is always subject to appropriation bills, as the gentlewoman from Massachusetts well knows. On Monday of next week we will have the Department of Agriculture appropriation bill. Then after that we will have the War Department civil-functions appropriation bill; and after that the legislative appropriation bill. After those are disposed of, then the war-risk property-insurance bill and the Rogers bills will come up. I will adhere to my promise.

Mrs. ROGERS of Massachusetts. The Army is so anxious to have the bill, particularly so far as air-warning and litter-station operators are concerned, and with the recent alert in Washington and the alert on the west coast, it seems to me it is one of the most vital war measures today, much more vital than agriculture.

Mr. McCORMACK. Of course, the appropriation bills have the right-of-way, and that will come up on Monday. The gentlewoman from Massachusetts has been here a few years longer than I have and she is aware of the fact that appropriation bills take precedence.

Mrs. ROGERS of Massachusetts. I know the gentleman will do everything in his power to bring it up, because he realizes the extreme need.

Mr. McCORMACK. I assure the gentlewoman that I hope it will be brought up as quickly as possible.

LEAVE OF ABSENCE

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent to absent myself for the balance of the week on account of illness in my family.

The SPEAKER. Without objection it is so ordered.

There was no objection.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2255. An act to establish a policy with respect to the disposition of agricultural commodities acquired by the Commodity Credit Corporation; to the Committee on Agriculture.

ENROLLED BILL SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly

enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 5880. An act to abolish certain fees charged by clerks of the district courts; and to exempt defendants in condemnation proceedings from the payment of filing fees in certain instances.

BILL PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 5880. An act to abolish certain fees charged by clerks of the district courts; and to exempt defendants in condemnation proceedings from the payment of filing fees in certain instances.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until tomorrow, Friday, February 27, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

(Thursday, March 5, 1942)

POSTPONEMENT OF HEARING ON H. R. 6503

This will advise you that the hearings previously scheduled for Tuesday, February 17, 1942, at 10 a. m., have been postponed until Thursday, March 5, 1942, at 10 a. m., on the following bill, H. R. 6503, to extend and amend certain emergency laws relating to the merchant marine, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1441. A letter from the Secretary of War, transmitting an itemized report of the proceedings of the American National Red Cross for the fiscal year ended June 30, 1941; to the Committee on Military Affairs.

1442. A letter from the Administrator, Federal Works Agency, transmitting the Second Annual Report of the Federal Works Agency and its constituent administrations and authority for the fiscal year June 30, 1941; to the Committee on Expenditures in the Executive Departments.

1443. A communication from the President of the United States, transmitting in the form of amendments to the Budget for the fiscal year ending June 30, 1943, two supplemental estimates of appropriations for the Panama Canal, to remain available until expended, totaling $29,223,200, of which $7,493,200 is to be made available (H. Doc. No. 640); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NICHOLS: Select Committee to Investigate Air Accidents. House Resolution 125, Seventy-seventh Congress, first session. Resolution creating a Select Committee to Investigate Air Accidents; without amendment (Rept. No. 1827). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 449. Resolution to provide for the financing of the War Damage Corporation, to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes; without amendment (Rept. No. 1828). Referred to the House Calendar.

Mr. FULMER: Committee on Agriculture. H. R. 5636. A bill to expedite the settlement of claims and accounts incident to certain agriculture adjustment programs, and for other purposes; with amendment (Rept. No. 1831). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee of conference on the disagreeing votes of the two Houses. H. R. 6446. A bill to provide for continuing of payment and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, and for other purposes; without amendment (Rept. No. 1832). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 5762. A bill granting an increase of pension to Mollie Alexander; with amendment (Rept. No. 1829). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 5918. A bill granting an increase of pension to Ethel H. Chaffee; without amendment (Rept. No. 1830). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ELLIS:

H. R. 6679. A bill to change the name of the Norfork Dam to Douglas MacArthur Dam; to the Committee on Flood Control.

By Mr. JONES:

H. R. 6680. A bill to provide for an immediate report to Congress by the Federal Bureau of Investigation with respect to investigations heretofore made by it of certain employees of the Federal Government; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H. R. 6681. A bill to subject Indians of the State of California to the laws of that State; to the Committee on Indian Affairs.

By Mr. DOUGHTON:

H. R. 6682. A bill to suspend in part the processing tax on coconut oil; to the Committee on Ways and Means.

By Mr. SWEENEY:

H. R. 6683. A bill to provide a judicial method of trying charges against postal employees; to the Committee on the Post Office and Post Roads.

By Mr. BATES of Kentucky:

H. R. 6686. A bill to furnish each person in the armed forces of the United States on active duty with one package of cigarettes per week; to the Committee on Military Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of San Juan, P. R., memorializing the President and the Congress of the United States to consider their Senate resolution dated February 9, 1942, relative to the brutal and treacherous attacks on Pearl Harbor and the Philippine Islands; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. O'TOOLE:

H. R. 6684 (by request). A bill for the relief of August Michela, infant; to the Committee on Claims.

By Mr. VAN ZANDT:

H. R. 6685. A bill authorizing the President to present a Congressional Medal of Honor to Gen. Douglas MacArthur; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2492. By Mr. MERRITT: Resolution of the Carbloc Paving Corporation of Brooklyn, N. Y., requesting that in the future all asphalt pavements the War Department may lay for roads in Army bases, runways on airports, supply roads, or whatever may be necessary in the line of highway building, be built by contractors' forces and not by Government forces; to the Committee on Military Affairs.

2493. By Mr. ROLPH: Resolution of the Allied Automotive Industries of California, Ltd., at San Francisco, relative to federalization of unemployment insurance program; to the Committee on Ways and Means.

2494. By Mr. WOLCOTT: Petitions and resolution adopted by the Common Council of Marine City, Mich., to amend section 451 of the Tariff Act of 1930, as set out in House bill 4768; to the Committee on Ways and Means.

2495. By the SPEAKER: Petition of the Congress of Industrial Organizations, Washington, D. C., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

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77TH CONGRESS, 2d Session | HOUSE OF REPRESENTATIVES | REPORT No. 1831

EXPEDITING SETTLEMENT OF CERTAIN CLAIMS AND ACCOUNTS

FEBRUARY 26, 1942.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. FULMER, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H. R. 5636]

The Committee on Agriculture, to whom was referred the bill (H. R. 5636) to expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes, having considered the same, report thereon with a recommendation that it do pass, with the following amendment:

Page 2, line 6, strike out the figures "$45,000" and insert in lieu thereof the figures "$25,000".

STATEMENT

This legislation is proposed for the purpose of expediting the settlement of claims and accounts incident to the agricultural adjustment programs in effect prior to January 6, 1936, under the Agricultural Adjustment Act of 1933 (48 Stat. 31), amendments thereto and related legislation and for other purposes. It covers three items.

The first section provides a final date (120 calendar days after enactment of the legislation) for filing claims in connection with these programs and a date (180 calendar days after enactment of the legislation), after which any unobligated balance of the appropriation, "Payments for Agricultural Adjustment", made by the Supplemental Appropriation Act, fiscal year 1936 (49 Stat. 1116), as amended, shall be covered into the surplus fund of the Treasury, except an amount not to exceed $25,000 which shall remain available thereafter for not more than 1 calendar year for administrative expenses incident to carrying out the purposes of the act. Such expenses would include those incidental to making collections, correspondence, disposition of records in State and county offices, and other work in connection with bringing to a conclusion the activities of these programs.

The second section provides for the relief of disbursing officers and certifying officers by authorizing the Comptroller General of the United States to allow credit in the accounts of disbursing officers and to refrain from raising a charge against the officers certifying vouchers for payments made in connection with such agricultural programs administered through the Agricultural Adjustment Administration.

The third section provides for the disposition of claims on the part of the United States against persons who without fraud on their part, have received payment under these programs in excess of the amounts to which they were entitled. This would be done if the Secretary of Agriculture, after such investigation as he deems necessary, certifies that to require a refund would be inequitable or that appropriate efforts to obtain such refunds have failed and there is no reasonable prospect of later obtaining such refunds.

This legislation has been requested by the Department of Agriculture, and has been approved by the Bureau of the Budget.

○

Union Calendar No. 650

77TH CONGRESS
2D SESSION

H. R. 5636

[Report No. 1831]

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 1941

Mr. FULMER introduced the following bill; which was referred to the Committee on Agriculture

FEBRUARY 26, 1942

Reported with an amendment, committed to the Committee of the Whole House on the state of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to expedite the settlement of claims and accounts incident to the agricultural adjustment programs in effect prior to January 6, 1936, under the Agricultural Adjustment Act of 1933 (48 Stat. 31), amendments thereto, and related legislation, no claim shall be considered or paid from the appropriation "Payments for Agricultural Adjustment" made by the Supplemental Appropriation Act, fiscal

year 1936 (49 Stat. 1116), as amended, unless presented to the Secretary of Agriculture within one hundred and twenty calendar days from the date of approval of this Act, and the unobligated balance remaining in said appropriation one hundred and eighty calendar days after the date of approval of this Act shall be covered into the surplus fund of the Treasury: *Provided,* That not to exceed ~~$45,000~~ *$25,000* of such unobligated balance shall remain available thereafter for not more than one calendar year for administrative expenses incident to carrying out the purposes of this Act.

SEC. 2. That with respect to payments made in connection with any program (1) under the Agricultural Adjustment Act of 1933 or amendments thereto or other legislation relating to programs inaugurated prior to January 6, 1936, which were administered through the Agricultural Adjustment Administration; (2) under the appropriation "Payments for Agricultural Adjustment" as made in the Supplemental Appropriation Act, fiscal year 1936, as amended; or (3) under title IV of the Agricultural Adjustment Act of 1938 (52 Stat. 70), amendments thereto and related legislation, the Comptroller General of the United States is hereby authorized to allow credit in the accounts of the disbursing officers who made the payments and no charge shall be raised against the certifying officers who certified the vouchers: *Provided,* That the Secretary of Agriculture certifies that such pay-

1 ments were made in good faith and without fraud or collusion
2 on the part of such disbursing officers or certifying officers.
3 SEC. 3. That where it appears payments mentioned in
4 section 2 hereof have been made in excess of the amounts
5 to which the persons to whom such payments were made
6 were entitled, without fraud on their part, no action shall be
7 taken by the United States to recover such excess payments
8 if the Secretary of Agriculture, after such investigation as he
9 deems appropriate, certifies that, considering the contribution
10 made in good faith by any such person to agricultural adjust-
11 ment compared with the contributions of other persons some-
12 what similarly situated, it would be inequitable to require
13 refund of the excessive payments; or certifies that appropriate
14 efforts to obtain such refunds have failed and there is no rea-
15 sonable prospect of later obtaining such refunds.

Union Calendar No. 65

77TH CONGRESS
2D SESSION

H. R. 5636

[Report No. 1831]

A BILL

To expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes.

By Mr. FULMER

SEPTEMBER 11, 1941

Referred to the Committee on Agriculture

FEBRUARY 26, 1942

Reported with an amendment, committed to the Committee of the Whole House on the state of the Union, and ordered to be printed

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DECORATIONS FOR HEROIC SERVICE IN AMERICAN MERCHANT MARINE

The Clerk called the next business, House Joint Resolution 263, to provide decorations for outstanding conduct or service by persons serving in the American merchant marine.

Mr. KEAN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Virginia why this dates back to the very beginning of the European war. During the last war such a bill was passed and that was limited to the time we were in the war. I could understand going back to the time that we passed the Lend-Lease Act, when it was considered our duty to get these goods across, but up to that time I do not see how we can go any further.

Mr. BLAND. Because under the operation of the merchant marine during the war in Europe, but before our entry, there have been instances of valorous conduct that should be recognized. For instance, I cite one case, that of bringing a ship back from Norway and valorous service in connection therewith. There may have been other valorous services that have been performed by men of the merchant marine, before our entry into the war, that ought to be recognized. I do not have at my finger tips all of those instances, but I do recall a particular case in which Captain—I forget the name——

Mr. KEAN. I recall the instance the gentleman has in mind.

Mr. BLAND. Where the ship was captured and brought back, and there was valorous conduct on the part of officers and men. I recall now that the ship was the *City of Flint*, of which Capt. Joseph Gainard was master. There may have been other cases such as that relating to men in merchant ships, and in the fishing boats—cases where the crews have rendered valorous services. The situation somewhat parallels the bill that we passed a short time ago in which, if we adhered strictly to the entry into the war, we would not have recognized a man belonging to the Coast and Geodetic Survey who was killed in the Philippines. It is to take care of cases such as those.

Mr. KEAN. Is it the gentleman's intention to make this permanent legislation or only for the duration of the war?

Mr. BLAND. It is for the duration of the war. It may not be strictly limited to that, but I think the language is sufficient to make it for the duration. The only part not within the duration of the war would be from 1939 down to the entry into the war.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. BLAND. Yes.

Mr. DONDERO. Does this involve any charge upon the Treasury of the United States, or the expenditure of public money?

Mr. BLAND. I doubt that anybody would be getting the medals entirely free. It, of course, is limited to the cost of the medal.

Mr. DONDERO. It is limited simply to a public decoration with medals?

Mr. BLAND. Yes.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the United States Maritime Commission is hereby authorized and directed, under such rules and regulations as it may prescribe, to provide and award a medal of such material and design and with such devices and inscriptions as the Commission may deem suitable to each person who in the American merchant marine, on or after September 3, 1939, has distinguished himself or during the war distinguishes himself by outstanding conduct or service in the line of duty. Such medals shall be presented with appropriate ceremony as specified by the Commission.

SEC. 2. There may be issued with each medal a rosette or other device to be worn in lieu of the medal. Not more than one medal shall be issued hereunder to any person, but for each succeeding instance sufficient to justify the award of a medal to such person the Commission may award a suitable bar or other emblem or insignia to be worn with the medal and the corresponding rosette or other device. In case any person who so distinguishes himself as to justify the award of a medal or decoration hereunder dies before the award can be made to him, the award may be made and the medal or decoration presented to such representative of the deceased as the Commission deems proper.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ACQUISITION OF LANDS BY FEDERAL WORKS ADMINISTRATION

The Clerk called the bill (S. 2222) to authorize the Federal Works Administration to acquire title, on behalf of the United States, to not more than 35 acres of land, subject to certain reservations in the grantors.

The SPEAKER. Is there objection?

Mr. STEFAN. Mr. Speaker, I reserve the right to object. I do this to get an explanation of the bill from the author. What land are they buying?

Mr. LANHAM. When the airport was built at Gravelly Point, the Public Roads Administration had lands and buildings in proximity to the airport.

Mr. STEFAN. Are these the brick buildings south of the airport?

Mr. LANHAM. A great many of those are now being used in connection with the airport. Land was acquired elsewhere for the Public Roads Administration, and these 35 acres are adjacent to that site. This involves no appropriation whatever. The transfer of the funds in the exchange from the airport site to the present site will take care of the acquisition of this land.

Mr. STEFAN. Are we buying additional land from Virginia to put in the Washington airport site with this legislation, or giving the Federal Works Administration power to buy 35 acres, or not more than 35 acres, of this land?

Mr. LANHAM. The 35 acres are a part of the site that has been acquired, except there has been no conveyance by reason of the fact that these 35 acres are owned by two ladies who have built for themselves a home in one corner of it. They wish to remain in their home, and it is in a part of the tract which will not interfere with the use of the remainder by the Public Roads Administration for its testing work.

Mr. STEFAN. It will still be part of the Washington National Airport?

Mr. LANHAM. No; it will be a part of the site of the Public Roads Administration.

Mr. STEFAN. And no part of the Washington Airport?

Mr. LANHAM. Oh, no. The Public Roads Administration had to move when the airport was built. The Federal Works Agency now has this site, with the exception of these 35 acres. It has also the funds with which to purchase that site.

Until now the ladies who own the property have been unwilling to convey it, but by reason of the fact the home they wish to occupy is in a corner of the tract that will not interfere in any way with their occupancy or with the operations of the Public Roads Administration, they have decided to dispose of it.

Mr. STEFAN. I do not object to the legislation at all, but I would like to know whether or not this legislation will further complicate the question as to whether this Washington National Airport is going to belong to the District of Columbia or Virginia?

Mr. LANHAM. Oh, not in the least. This land would have been acquired prior to this time as a part of the Public Roads Administration site but for the fact that these ladies who own this particular 35 acres did not wish to convey it, by reason of the fact that they have built their home upon it, but they are willing to convey it with the reservation that they may continue to live there during their lives and occupy their home. That will not interfere with the work of the Public Roads Administration.

Mr. STEFAN. The distinguished gentleman who is chairman of the Committee on Public Buildings and Grounds has made a very fine explanation of this matter. I am happy that he assures me this will not complicate the argument as to whether the airport is in Virginia or in the District of Columbia.

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That not more than 35 acres of the land to be acquired by the Federal Works Administrator on behalf of the United States as a site for the testing laboratory and research activities of the Public Roads Administration may be acquired subject to a nonassignable and nontransferable reservation to the grantor or grantors of the right to continued occupancy during his or their natural lives of so much thereof as, in the opinion of the Federal Works Administrator, will not impair the use of such land for the purpose for which acquired.

The bill was ordered to be read a third time, was read the third time, and passed,

and a motion to reconsider was laid on the table.

SETTLEMENT OF CERTAIN AGRICULTURAL CLAIMS AND ACCOUNTS

The Clerk called the next bill, H. R. 5636, to expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, will someone explain this bill? This is a very liberal relief bill.

Mr. FULMER. I will be pleased to explain the bill.

The purpose of the bill is to expedite the settlement of certain claims and accounts that came up prior to 1936 under the old original Agricultural Adjustment Act. They have been going along all of these years and have come to the period where they have collected practically everything that they can, and they want to establish a certain date or limitation for claims to be filed or settlements to be made, and at that time turn over to the Treasury the amount that they hold on hand, something over $100,000, and wind up same.

Mr. COCHRAN. Then in your proviso you strike out $45,000 and insert $25,000. That is going to remain unobligated for a year, although 180 calendar days closes up the whole act.

Mr. FULMER. That is right.

Mr. COCHRAN. Are you going to keep them on the job for the rest of the year after the 180 calendar days?

Mr. FULMER. If we do not pass this act the whole $100,000 is subject to be taken up by continuing this program in expenses and payments to employees.

Mr. COCHRAN. Section 2 relieves the disbursing officer.

Mr. FULMER. That would be a small amount.

Mr. COCHRAN. How much is that?

Mr. FULMER. Oh, that is just a small amount; it relates to small accounts.

Mr. COCHRAN. Section 3 will keep the Government from recovering overpayments. How much is involved there? In other words, if we have overpaid a man and we pass the bill with section 3 in it, we cannot collect, no matter how rich that man may be.

Mr. FULMER. Up to this date practically all accounts that could be collected have been collected, and they will have up to this limitation to collect any further accounts that can be collected, and then we will close this matter, turn the money into the Treasury, and cut out the expense that has been going on since 1936. I think it will save the Government money.

Mr. COCHRAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to expedite the settlement of claims and accounts incident to the agricultural adjustment programs in effect prior to January 6, 1936, under the Agricultural Adjustment Act of 1933 (48 Stat. 31), amendments thereto, and related legislation, no claim shall be considered or paid from the appropriation "Payments for agricultural adjustment" made by the Supplemental Appropriation Act, fiscal year 1936 (49 Stat. 1116), as amended, unless presented to the Secretary of Agriculture within 120 calendar days from the date of approval of this act, and the unobligated balance remaining in said appropriation 180 calendar days after the date of approval of this act shall be covered into the surplus fund of the Treasury: *Provided*, That not to exceed $45,000 of such unobligated balance shall remain available thereafter for not more than 1 calendar year for administrative expenses incident to carrying out the purposes of this act.

SEC. 2. That with respect to payments made in connection with any program (1) under the Agricultural Adjustment Act of 1933 or amendments thereto or other legislation relating to programs inaugurated prior to January 6, 1936, which were administered through the Agricultural Adjustment Administration; (2) under the appropriation "Payments for agricultural adjustment" as made in the Supplemental Appropriation Act, fiscal year 1936, as amended; or (3) under title IV of the Agricultural Adjustment Act of 1938 (52 Stat. 70), amendments thereto and related legislation, the Comptroller General of the United States is hereby authorized to allow credit in the accounts of the disbursing officers who made the payments and no charge shall be raised against the certifying officers who certified the vouchers: *Provided*, That the Secretary of Agriculture certifies that such payments were made in good faith and without fraud or collusion on the part of such disbursing officers or certifying officers.

SEC. 3. That where it appears payments mentioned in section 2 hereof have been made in excess of the amounts to which the persons to whom such payments were made were entitled, without fraud on their part, no action shall be taken by the United States to recover such excess payments if the Secretary of Agriculture, after such investigation as he deems appropriate, certifies that, considering the contribution made in good faith by any such person to agricultural adjustment compared with the contributions of other persons somewhat similarly situated, it would be inequitable to require refund of the excessive payments; or certifies that appropriate efforts to obtain such refunds have failed and there is no reasonable prospect of later obtaining such refunds.

With the following committee amendment:

Page 2, line 7, strike out "$45,000" and insert "$25,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

APPROVING ACT NO. 70, SPECIAL SESSION LAWS OF HAWAII

The Clerk called the next bill, H. R. 6166, to approve Act No. 70 of the Special Session Laws of Hawaii, 1941, reducing the rate of interest on loans and providing for the reamortization of indebtedness to the Farm Loan Board.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, I reserve the right to object.

Mr. GORE. Mr. Speaker, reserving the right to object, I would like to inquire from the Delegate from Hawaii if it appears advisable to him to reamortize unpaid interest?

Mr. KING. Mr. Speaker, this is part of a program of refinancing small farmers and homesteaders in Hawaii. The funds are borrowed from our local Territorial funds. The rate of interest heretofore charged was 6 percent. Then it was reduced to 5 percent. This act would reduce it to 3 percent and allow them to reamortize existing loans.

Mr. GORE. I was not questioning about the reduction of interest, but it did seem questionable to me if this was to come from United States funds, to reamortize the unpaid interest.

Mr. KING. These are local funds purely. No Federal funds at all. The only reason it is before the Congress is because the local attorney general ruled that it was in conflict with the organic act which requires congressional approval to validate the local law passed by the Territorial legislature.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Act No. 70 of the Special Session Laws of Hawaii, 1941, entitled "An act to amend chapter 253 of the Revised Laws of Hawaii, 1935, relating to farm loans, by amending section 7763 thereof and adding thereto three new sections, to be numbered 7764–A, 7764–B, and 7764–C, respectively, reducing the rate of interest on loans and providing for the reamortization of indebtedness to the Farm Loan Board," is hereby approved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL SESSION LAWS OF HAWAII

The Clerk called the next bill, H. R. 5962, to ratify and confirm Act 20 of the Special Session Laws of Hawaii, 1941, extending the time within which revenue bonds may be issued and delivered under Act 174 of the Session Laws of Hawaii, 1935.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Act 20 of the Special Session Laws of Hawaii, 1941, amending section 17 of Act 174 of the Session Laws of Hawaii, 1935, as amended, so as to extend the time within which revenue bonds may be issued and delivered under said Act 174, is hereby ratified and confirmed and revenue bonds may be issued under and pursuant to the provisions of said Act 174 of the Session Laws of Hawaii, 1935, as amended, and as further amended by said Act 20, without the approval of the President of the United States and without the incurring of an indebtedness within the meaning of the Hawaiian Organic Act, and said Act 174, as amended, shall constitute full authority for the issuance of said bonds without reference to and independent of the Hawaiian Organic Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELEASE OF LANDS IN COCONINO NATIONAL FOREST, ARIZ.

The Clerk called the next bill, S. 1762, to authorize the Secretary of Agriculture to release the claim of the United States

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77TH CONGRESS
2D SESSION

H. R. 5636

IN THE SENATE OF THE UNITED STATES

MARCH 17 (legislative day, MARCH 5), 1942

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That in order to expedite the settlement of claims and ac-
4 counts incident to the agricultural adjustment programs in
5 effect prior to January 6, 1936, under the Agricultural Ad-
6 justment Act of 1933 (48 Stat. 31), amendments thereto,
7 and related legislation, no claim shall be considered or paid
8 from the appropriation "Payments for Agricultural Adjust-
9 ment" made by the Supplemental Appropriation Act, fiscal
10 year 1936 (49 Stat. 1116), as amended, unless presented

1 to the Secretary of Agriculture within one hundred and
2 twenty calendar days from the date of approval of this Act,
3 and the unobligated balance remaining in said appropriation
4 one hundred and eighty calendar days after the date of ap-
5 proval of this Act shall be covered into the surplus fund of
6 the Treasury: *Provided,* That not to exceed $25,000 of such
7 unobligated balance shall remain available thereafter for not
8 more than one calendar year for administrative expenses
9 incident to carrying out the purposes of this Act.

10 SEC. 2. That with respect to payments made in connec-
11 tion with any program (1) under the Agricultural Adjust-
12 ment Act of 1933 or amendments thereto or other legislation
13 relating to programs inaugurated prior to January 6, 1936,
14 which were administered through the Agricultural Adjustment
15 Administration; (2) under the appropriation "Payments for
16 Agricultural Adjustment" as made in the Supplemental
17 Appropriation Act, fiscal year 1936, as amended; or (3)
18 under title IV of the Agricultural Adjustment Act of 1938
19 (52 Stat. 70), amendments thereto and related legislation,
20 the Comptroller General of the United States is hereby author-
21 ized to allow credit in the accounts of the disbursing officers
22 who made the payments and no charge shall be raised against
23 the certifying officers who certified the vouchers: *Provided,*
24 That the Secretary of Agriculture certifies that such pay-

1 ments were made in good faith and without fraud or collusion
2 on the part of such disbursing officers or certifying officers.
3 SEC. 3. That where it appears payments mentioned in
4 section 2 hereof have been made in excess of the amounts
5 to which the persons to whom such payments were made
6 were entitled, without fraud on their part, no action shall be
7 taken by the United States to recover such excess payments
8 if the Secretary of Agriculture, after such investigation as he
9 deems appropriate, certifies that, considering the contribution
10 made in good faith by any such person to agricultural adjust-
11 ment compared with the contributions of other persons some-
12 what similarly situated, it would be inequitable to require
13 refund of the excessive payments; or certifies that appropriate
14 efforts to obtain such refunds have failed and there is no rea-
15 sonable prospect of later obtaining such refunds.

Passed the House of Representatives March 16, 1942.

Attest: SOUTH TRIMBLE,

Clerk.

77th Congress
2d Session

H. R. 5636

AN ACT

To expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes.

March 17 (legislative day, March 5), 1942
Read twice and referred to the Committee on Agriculture and Forestry

FILE COPY

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 77th CONGRESS, SECOND SESSION

Vol. 88 WASHINGTON, TUESDAY, MARCH 17, 1942 No. 55

Senate

(Legislative day of Thursday, March 5, 1942)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Chaplain, the Very Reverend ZeBarney T. Phillips, D. D., offered the following prayer:

Most mighty God and Father of us all, who art greater, wiser and more glorious than we can ever know, who leadest us, whether in our pride or our humility, by ways we cannot understand: Give us an heart to love and worship Thee as the perfection of beauty after which we sigh, though we cannot attain unto it, and, out of Thy bounteous goodness, we beseech Thee to guide us in judgment, for though our eyes be holden, yet we believe in Thee, that Thou art and that Thou wilt grant us the vision of Thyself.

Make us true economists of happiness as we learn the use of joy and true beneficence in these days that need not only courage, but a wholesome gladness amid the reactions of lassitude caused by the wear and tear, the strain and stress of daily life; gladness amid the depression and uncertainty created by the deepening complexity of problems that are yet unsolved.

And now we ask that Thou wilt unfold to us the deepest thoughts which can fill the heart of our humanity with a sense of wonder and of power, thoughts which shall become the precious lifeblood of a master spirit, treasured up on purpose to a life beyond our life. In our Saviour's Name, we ask it. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, March 16, 1942, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Barkley	Brown
Austin	Bilbo	Bulow
Bailey	Bone	Burton
Bankhead	Brewster	Butler
Barbour	Brooks	Byrd
Capper	Johnson, Calif.	Reynolds
Caraway	Johnson, Colo.	Rosier
Chandler	La Follette	Russell
Chavez	Langer	Schwartz
Clark, Idaho	Lee	Shipstead
Clark, Mo.	Lucas	Smathers
Connally	McCarran	Smith
Danaher	McFarland	Spencer
Davis	McKellar	Stewart
Doxey	McNary	Taft
Ellender	Maloney	Thomas, Idaho
George	Mead	Thomas, Okla.
Gerry	Millikin	Thomas, Utah
Gillette	Murdock	Truman
Glass	Murray	Tunnell
Guffey	Nye	Tydings
Gurney	O'Daniel	Vandenberg
Hayden	O'Mahoney	Van Nuys
Herring	Overton	Wheeler
Hill	Pepper	White
Holman	Radcliffe	Willis
Hughes	Reed	

Mr. McNARY. I announce that the Senator from Nebraska [Mr. NORRIS] is absent because of illness.

Mr. HILL. I announce that the Senator from New Mexico [Mr. HATCH] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], and the Senator from Washington [Mr. WALLGREN] are holding hearings in Western States on matters pertaining to national defense.

The Senator from Florida [Mr. ANDREWS], the Senator from Nevada [Mr. BUNKER], the Senator from Rhode Island [Mr. GREEN], the Senator from South Carolina [Mr. MAYBANK], the Senator from New York [Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is a member of the Senate committee holding hearings in the West on matters pertaining to the national defense and is therefore unable to be present.

The Senator from New Hampshire [Mr. BRIDGES] is absent as a result of an injury and illness.

The Senator from Massachusetts [Mr. LODGE] is necessarily absent.

The VICE PRESIDENT. Eighty Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON A STUDY OF THE PARK AND RECREATION PROBLEM

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report of the National Park Service of the Interior Department on A Study of the Park and Recreation Problem of the United States (with an accompanying report); to the Committee on Public Lands and Surveys.

DISPOSITION OF EXECUTIVE PAPERS

Letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of War (2) and Agriculture (5); the Federal Trade Commission (2), Federal Security Agency, Federal Security Agency (Food and Drug Administration), Federal Works Agency, and the National Archives, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS

Petitions were presented and referred as indicated:

By Mr. CAPPER:

A petition, numerously signed, of sundry citizens of Fort Scott, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. TYDINGS:

Petitions, numerously signed, of sundry citizens of the State of Maryland, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

ENROLLED BILL PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on March 16, 1942, that committee presented to the President of the United States the enrolled bill (S. 2249) authorizing appropriations for the United

States Navy, additional ordnance manufacturing and production facilities, and for other purposes.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOXEY:

S. 2376. A bill to authorize the Secretary of the Interior to cooperate with the States in the carrying out of projects designed to develop, restore, and replenish supplies of commercial sea foods; to the Committee on Commerce.

By Mr. McCARRAN:

S. 2377. A bill to authorize the Commissioners of the District of Columbia to assign officers and members of the Metropolitan Police force to duty in the Detective Bureau of the Metropolitan Police Department, and for other purposes; to the Committee on the District of Columbia.

By Mr. O'MAHONEY:

S. 2378. A bill to promote the development and production of minerals belonging to the United States, to authorize the construction and operation of electrical facilities, to promote utilization of the natural resources of the Nation, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. BROWN:

S. 2379. A bill for the relief of G. F. Allen, Chief Disbursing Officer, Treasury Department, and for other purposes; to the Committee on Claims.

By Mr. GURNEY:

S. 2380. A bill to suspend for the duration of the present war all prohibitions against the marriage of officers of the land and naval forces of the United States; to the Committee on Military Affairs.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H. R. 5016. An act to amend section 1 of the act approved August 19, 1937 (50 Stat. 700), entitled "An act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes";

H. R. 5719. An act to abolish the Guilford Courthouse National Military Park Commission, and for other purposes; and

H. R. 6625. An act granting the consent of Congress to an amendment to the Constitution of the State of New Mexico, providing a method for executing leases for grazing and agricultural purposes on lands granted or confirmed to the State of New Mexico by the act of Congress approved June 20, 1910; to the Committee on Public Lands and Surveys.

H. R. 5636. An act to expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes; and

H. R. 6360. An act to amend the act known as the "Perishable Agricultural Commodities Act, 1930" (46 Stat. 531), approved June 10, 1930, as amended; to the Committee on Agriculture and Forestry.

H. R. 5860. An act declaring certain lands to be a part of the public domain and providing for the administration thereof; to the Committee on Indian Affairs.

H. R. 5866. An act for the relief of the city of Atlanta, Ga.; to the Committee on Claims.

H. R. 5962. An act to ratify and confirm Act 20 of the Special Session Laws of Hawaii, 1941, extending the time within which revenue bonds may be issued and delivered under Act 174 of the Session Laws of Hawaii, 1935; and

H. R. 6166. An act to approve Act No. 70 of the Special Session Laws of Hawaii, 1941, reducing the rate of interest on loans and providing for the reamortization of indebtedness to the Farm Loan Board; to the Committee on Territories and Insular Affairs.

H. R. 6387. An act to extend the crediting of military service under the Railroad Retirement Acts, and for other purposes; and

H. R. 6730. An act to protect the public health by the prevention of certain practices leading to dental disorders; and to prevent the circumvention of certain State or Territorial laws regulating the practice of dentistry; to the Committee on Interstate Commerce.

H. R. 6495. An act granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a free highway bridge across the Mississippi River at or near the village of Brooklyn Center, Minn.;

H. R. 6641. An act to amend the act entitled "An act to authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy," approved April 16, 1937; and

H. J. Res. 263. Joint resolution to provide decorations for outstanding conduct or service by persons serving in the American merchant marine; to the Committee on Commerce.

ADDRESSES AND PAPERS OF FRANKLIN D. ROOSEVELT: DEVELOPMENT OF UNITED STATES FOREIGN POLICY, 1933–41

Mr. OVERTON. I ask unanimous consent to have printed as a Senate document certain outstanding addresses and papers of Franklin D. Roosevelt relating to peace and war covering the period 1933–41, inclusive. These addresses, messages, and letters have been compiled from the Public Papers and Addresses of Franklin D. Roosevelt, 1933–40, the CONGRESSIONAL RECORD, the Department of State Bulletin, White House releases, and other official sources.

This compilation is intended to present the chronological development of the foreign policy of the United States from the announcement of the good-neighbor policy in 1933 through the war declarations of 1941.

Mr. BONE. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. BONE. I rise to inquire of the Senator from Louisiana if the dossier to which he refers contains the public statements and messages of the President dealing with his recommendations to Congress by the way of appropriations and such allied matters which are involved in the whole war problem?

Mr. OVERTON. The compilation does not contain all the speeches or all the messages of the President, but those contained in it have been very carefully selected as representing the most important utterances of the President, in whatever form they were made, whether as public addresses, fireside talks, addresses before both Houses of Congress, or press releases which indicate the foreign policy of the United States, both before the present war and after we entered into the war, and with particular relation to the war. I have requested that they be published because I think they will be of great historical value.

Mr. BONE. There can be no doubt about that, but I wonder if they contain all the President's recommendations as to specific appropriations for the Army, for the Navy, and for national defense, and matters of that sort.

Mr. OVERTON. No; they do not contain all the recommendations with respect to all appropriations.

Mr. BONE. Of course, in many of his recommendations the President has been very specific as to how and for what purpose the money was to be used, which is important to know in connection with the general long-term effect of the operation that was to be conducted under an appropriation when it was made available.

The VICE PRESIDENT. Without objection, the compilation presented by the Senator from Louisiana will be printed as a document.

THE NAZI LAND POLICY—ADDRESS BY T. E. HOWARD

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the Appendix and address by T. E. Howard, former president of the Farmers Union of Colorado, on the subject The Nazi Land Policy Will Enslave Millions, which appears in the Appendix.]

A LETTER TO DONALD NELSON FROM FRANK J. WOLF

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD a letter to Donald Nelson from Frank L. Wolf, publisher of the Colorado Monitor, and printed in the issue of the Monitor of March 13, 1942, which appears in the Appendix.]

WASTEFUL SPENDING—EDITORIAL FROM KANSAS CITY TIMES

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an editorial from the Kansas City Times entitled "Kick All of It Out," which appears in the Appendix.]

AN OPEN LETTER TO THE PRESIDENT—EDITORIAL FROM THE CHARLOTTE (N. C.) OBSERVER

[Mr. BYRD asked and obtained leave to have printed in the RECORD an editorial entitled "An Open Letter to the President," published in the Charlotte (N. C.) Observer of March 12, 1942, which appears in the Appendix.]

A PRACTICAL METHOD OF PILOT SELECTION

[Mr. ROSIER asked and obtained leave to have printed in the RECORD an article from the Proceedings of the Staff Meetings of the Mayo Clinic, entitled "A Practical Method of Pilot Selection," which appears in the Appendix.]

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 1762. An act to authorize the Secretary of Agriculture to release the claim of the United States to certain land within Coconino County, Ariz.;

S. 1971. An act to legalize a bridge across Bayou Lafourche at Valentine, La.;

S. 2089. An act to authorize the transfer of the custody of a portion of the Croatan National Forest, N. C., from the Department of Agriculture to the Department of the Navy;

S. 2134. An act to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto across the St. Marys River from a point in or near the city of Sault Ste. Marie, Mich., to a point in the Province of Ontario, Canada," approved December 16, 1940; and

S. 2222. An act to authorize the Federal Works Administrator to acquire title, on behalf of the United States, to not more than 35 acres of land subject to certain reservations in the grantors.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 5016. An act to amend section 1 of the act approved August 19, 1937 (50 Stat. 700), entitled "An act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes";

H. R. 5636. An act to expedite the settlement of claims and accounts incident to certain agricultural-adjustment programs, and for other purposes;

H. R. 5719. An act to abolish the Guilford Courthouse National Military Park Commission, and for other purposes;

H. R. 5860. An act declaring certain lands to be a part of the public domain and providing for the administration thereof;

H. R. 5866. An act for the relief of the city of Atlanta, Ga.;

H. R. 5962. An act to ratify and confirm Act 20 of the Special Session Laws of Hawaii, 1941, extending the time within which revenue bonds may be issued and delivered under Act 174 of the Session Laws of Hawaii, 1935;

H. R. 6166. An act to approve Act No. 70 of the Special Session Laws of Hawaii, 1941, reducing the rate of interest on loans and providing for the reamortization of indebtedness to the Farm Loan Board;

H. R. 6360. An act to amend the act known as the Perishable Agricultural Commodities Act, 1930 (46 Stat. 531), approved June 10, 1930, as amended;

H. R. 6387. An act to extend the crediting of military service under the Railroad Retirement Acts, and for other purposes;

H. R. 6495. An act granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a free highway bridge across the Mississippi River at or near the village of Brooklyn Center, Minn.;

H. R. 6625. An act granting the consent of Congress to an amendment to the Constitution of the State of New Mexico, providing a method for executing leases for grazing and agricultural purposes on lands granted or confirmed to the State of New Mexico by the act of Congress approved June 20, 1910;

H. R. 6641. An act to amend the act entitled "An act to authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy," approved April 16, 1937;

H. R. 6730. An act to protect the public health by the prevention of certain practices leading to dental disorders, and to prevent the circumvention of certain State or Territorial laws regulating the practice of dentistry; and

H. J. Res. 263. Joint resolution to provide decorations for outstanding conduct or service by persons serving in the American merchant marine.

LABOR CONDITIONS ON T. P. & W. RAILROAD

Mr. MEAD. Mr. President, I should like to have permission to insert in the RECORD a copy of the President's letter addressed to George P. McNear, Jr., president of the Toledo, Peoria & Western Railroad Co., in which company a lock-out still persists. By the action of Mr. McNear in refusing to arbitrate the difficulty he creates an issue which, in my judgment, is more serious than the issue existing between the men and the company. The big question now is, Shall the National War Labor Board, the agency of the Government set up pursuant to the agreement made between the representatives of industry and labor that all controversies should be settled by peaceful means during the duration of the war, be resisted and defied as is being done in this case? If McNear can get away with this, then the usefulness of the National War Labor Board will quickly come to an end, and the prospect of peace in industry will be gloomy indeed.

Mr. President, I hope the lock-out on the T. P. & W. may speedily be brought to an end by the President exercising his power to take over the road.

The VICE PRESIDENT. Is there objection to the request of the Senator from New York?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 14, 1942.

Mr. GEORGE P. MCNEAR, Jr.,
President, Toledo, Peoria & Western R. R. Co., Peoria, Ill.

DEAR MR. MCNEAR: The National War Labor Board has informed me that on February 27 the National War Labor Board notified you of its decision that you should arbitrate under the auspices of the National Mediation Board the pending dispute on the Toledo, Peoria & Western Railroad, of which railroad you are president.

The history and significance of this case is recited in the final appeal of the National War Labor Board sent you on March 13, 1942, as follows:

"The defiance of the Government of the United States by the Toledo, Peoria & Western Railroad Co. has raised issues far beyond the dispute between the company and the railroad brotherhoods. This Government of the people in time of war cannot afford to permit the special or private interest of any labor union or corporation to break down the national agreement between management and labor, that labor disputes shall be settled for the duration of the war by peaceful means.

"A private quarrel between a company and a union cannot be allowed to continue in the midst of a total war.

"The Government of the United States, which, through four successive public agencies, proposed patiently but unsuccessfully a peaceful settlement of this dispute, cannot be flouted by private interests.

"Before Pearl Harbor, both sides refused arbitration proposed by the National Railway Mediation Board. Since Pearl Harbor, a number of Federal agencies have attempted to settle this dispute by peaceful means.

"First, the National Railway Mediation Board proposed arbitration. The unions accepted but the company rejected.

"Second, the Director of the Office of Defense Transportation proposed arbitration. The unions accepted but the company rejected.

"Third, a three-member panel of the United States Conciliation Service proposed arbitration. The unions accepted but the company rejected.

"Fourth, the National War Labor Board unanimously directed arbitration under section 8 of the Railway Labor Act and under the auspices of the National Railway Mediation Board, set up by Congress for that purpose. The unions accepted but the company rejected.

"Fifth, the National Railway Mediation Board sent its mediator to Peoria to carry out the directive order of the War Labor Board for arbitration. The unions again agreed to cooperate and the company refused.

"This rejection of established peaceful and lawful procedures for settlement of this labor dispute tends to breed violence and a disrespect of lawful processes.

"We denounce any violence, any disregard of law, and any defiance of peaceful procedures. The national crisis demands the use of the peaceful means of settlement established by the Government.

"The Government has been patient, but there is a point beyond which patience becomes an act of disloyalty to a people who have seen stronghold after stronghold of freedom go down because men and materials to save them arrived too late. The people of the United States have a right to demand that their Government prevent a private quarrel from checking the national will.

"In this time of dire necessity for the quick maximum transportation of all materials as part of total war, any refusal to settle a railroad labor dispute involving a small but vital link in overland transportation between the oceans is intolerable to the American people in their struggle to remain free.

"The National War Labor Board, in the name of the Government of the United States, again unanimously, and for the last time, calls upon the management of the Toledo, Peoria & Western Railroad Co. to accept arbitration of this dispute in accordance with the decision of the Board."

In these times of war I must insist that the national agreement that there shall be no strikes or lock-outs for the duration of the war and that the procedures for the peaceful settlement of labor disputes as set forth in the Executive order creating the National Labor Board must be complied with by all American employers and labor groups.

As President of the United States and Commander in Chief of the armed forces, I hereby request you to comply with the order of the National War Labor Board immediately.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

CONDUCT OF GOVERNMENT AFFAIRS—LETTER FROM F. H. BURNAP

Mr. HOLMAN. Mr. President, I ask unanimous consent to have published in the body of the RECORD as a part of my remarks a letter addressed to me by Mr. F. H. Burnap and other citizens of Oregon. The letter expresses well the growing, righteous indignation of the people of my State regarding the incompetency and irregularities of the present Federal administration.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CORVALLIS, OREG., *March 8, 1942.*

Senator RUFUS HOLMAN,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HOLMAN: I wish I had a copy of the telegram sent by the voters of South Carolina to their representatives in Washington—would repeat it to you and our other representatives from Oregon. We in this

State are wondering what our representatives in the Capital are doing to help preserve our American system and win this war.

We are paying high taxes, and will pay more; we are buying bonds, and will buy more bonds to help win the war; but we don't appreciate the continuation of some six billion dollars being spent each year, and to be spent in 1942, to keep all those New Deal alphabet-bureaus running. It is neither right nor necessary for our Government to spend such huge sums that ought to be spent for war purposes. If these useless bureaus constitute what the President calls "the dignity and brotherhood of man," do you think they can win this war for us? If not, why aren't they eliminated, and now?

Do we have to listen to Alabama Democrats (Clark County Democrat) to learn what our country is headed for? The day is not far distant when statesmanship must supplant political expediency if the American form of government is going to survive.

If the head of our administration is afraid to do something about the racketeering labor unions at this time, why doesn't Congress act? Is there a tie-up between the unions and our representatives, as there seems to be with the administration heads? We at home feel we are being let down. Due to the Wagner Act some 5,000,000 days' work were lost in the shipyards in 1941 and some 25,000,000 work days lost in other war industries, mostly due to the union leaders. Both industry and labor may be at fault, but what is our Commander in Chief of the Army and Navy doing about it, but tell us "not a day shall be lost in our defense program"? How can we, the average citizens, do anything about the slowing down of our defense program and other equally radical administrative failures? Our representatives are supposed to be doing something for us, but are they?

We also resent the postponement of the court-martial trials for Kimmel and Short. In all justice they should have their hearing at once; and if some higher-ups in Washington get "nicked," let them take it. The public is tired of having every mistake made by the big names being whitewashed. Are our representatives doing anything about demanding an immediate hearing for these demoted officers?

With so many Reds and radical New Dealers spending billions for nondefense programs and supporting the President in every whim he thinks up, with the Supreme Court failing us, who have the folks back home got to turn to if it isn't the men they sent to Washington? For God's sake get busy and stick your necks out and begin a campaign to stop some of this damned foolish spending of our money and get down to the business of winning this war. We have had enough of this spending spree for the purpose of buying votes to perpetuate these New Deal racketeers.

What but un-American when our Government allows and encourages the union men to receive such high wages with half-time or overtime pay, most war industries working 3½ days a week and refusing to work on holidays even when the President and Nelson ask them to do so. Compare the life of these high-paid union men to that of our boys in uniform—low wages and loss of jobs for them and every chance of being killed or crippled. Many are killed daily even before they get into the fighting—4 burned to death and 18 seriously burned when a discarded poultry house was used for barracks for boys from Wyoming. There is something so rotten in Washington and the administration that many Oregon voters are not in favor of returning any of our Representatives for another term—none of them. Surely the State can find some men who won't play politics and turn a deaf ear to legislation the people want and need right now. Our men may be doing more than we know of—we hope so—but we do feel they are keeping pretty quiet and doing little.

Leon Henderson asks the housewives to take back to the grocer any sugar they have and says that failure to do so "is almost traitorous." Huh! How about the Agricultural Adjustment Administration of the Federal administration, which alone is completely responsible for the sugar shortage resulting from the socialistic efforts to run the farmer's business and limiting the number of acres he might sow to sugar beets? If treason is defined, as Henderson seems to define it, then the Agricultural Adjustment Administration should be court martialed—and that includes the man responsible for it.

We trust you listen to H. V. Kaltenborn. God knows this country could stand more men with his understanding and the courage to say what he thinks. He makes sense, as do most of the editors of the Oregon newspapers.

Sincerely,

Mr. and Mrs. F. H. BURNAP.
Mr. and Mrs. G. J. FRINK.
Mr. and Mrs. JOHN W. BROWN.

P. S.—I let two neighbors read the above, and if they had thought me too radical would not have sent this, but they insisted on signing it and wanted me to show it to every home owner in our neighborhood. They said every Republican and most every Democrat would sign.

They all feel the soldier's pay should be raised. Corvallis probably isn't any different from every other town of its size in the Nation—that is, one where the Agricultural Adjustment Administration has offices. If you could hear the disgust on every side for the wanton waste of our tax money on the damn fool projects the Agricultural Adjustment Administration is getting out—color motion pictures of this and that all over the State; a bit of soil erosion here, etc.; private motion-picture studios being built with Government money; high salaries for men who could be serving the country in uniform; big traveling-expense accounts, etc. It makes no sense to anyone but a New Dealer. Let some of these grafters be conscripted to help get the crops in. The Work Projects Administration has dropped many of its old hands and now they refuse to work on the farms this spring—too hard work, too little pay. My sister on a berry farm helped her neighbor train berries for 2 weeks when no men could be hired, and she was paid 25 cents an hour. Then the President wants farm prices, etc., kept down to ward off inflation. What are the union wages, etc., doing but bringing on inflation? Am sorry to wrote so lengthy and know much of this is out of focus, but many things are so damned crooked and so unnecessary to win the war that we all feel this administration is rotten to the core.

CONTRIBUTION OF SENATOR CHANDLER AS GOVERNOR TO EXCELLENT FINANCIAL CONDITION OF KENTUCKY

Mr. BROWN. Mr. President, an Associated Press dispatch published in the Louisville Courier-Journal on March 15, 1942, pays very high tribute to our good friend and colleague the junior Senator from Kentucky [Mr. CHANDLER]. It calls attention to the fact that, through legislation which he initiated as chief executive, the State of Kentucky will this month of March become entirely free from debt. It calls attention to the fact that the junior Senator from Kentucky while Governor of his State reduced the debt of Kentucky from $25,000,000 to $5,000,000.

I felt that the Members of the Senate would be pleased to have this tribute to the Senator from Kentucky called to the attention of the country by having the article printed in the CONGRESSIONAL RECORD, and I ask unanimous consent that it appear at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Louisville Courier-Journal of March 15, 1942]

STATE CALLS LAST OF WARRANTS; CLEARS DEBT FIRST TIME IN YEARS—PAYMENT SET FOR MARCH 25

FRANKFORT, KY., March 14.—Kentucky, for the first time since its early history, soon will be free of its warrant debt.

Gov. Keen Johnson announced today the last of the State's outstanding interest-bearing warrants, amounting to $495,000, had been called for payment March 25.

When newsmen to whom he made known the call asked for a statement, the Governor remarked tersely:

CREDITS ACCOUNTING SYSTEM

"It speaks for itself. There's nothing romantic or spectacular about paying off a debt. You run into debt and crawl out. We've been a long time crawling out."

The warrant debt was reduced to its present size from approximately $25,000,000 in slightly more than 6 years.

The treasurer's office said the warrant debt stood at $25,232,913 when Gov. A. B. CHANDLER took office in 1935 and at $5,374,542, 4 years later when Johnson became Governor.

Governor Johnson attributed the State's ability to pay off the debt to the 1936 Reorganization Act, which he said brought a "rigid accounting system" through creation of a division of accounts and control.

In earlier years, he added, lax accounting methods often found the State spending more than its income, necessitating issuance of warrants.

CAN'T RECALL LAST TIME

When the last payment call lowered the outstanding warrant total to $495,000—which bears 1 percent interest—it was the first time since 1908 the debt had fallen below $500,000, the constitutional limit.

Even the oldest timers in Frankfort couldn't remember when the State was debt free.

The 1942 legislature enacted a law putting teeth in the constitution's $500,000 debt limit. Courts had ruled in the past that certain expenditures by the State did not come under the limitation.

Technically, the State will still have outstanding warrants on its books after March 25.

SOME WARRANTS NOT PRESENTED

The treasurer's office reported $29,578 worth of warrants called for payment have not been presented. They bear no interest after their call.

Of these, however, $13,278 worth have been outstanding many years and virtually have been given up for lost or destroyed.

Governor Johnson said even these outstanding warrants probably would be wiped out in 2 years.

He pointed to a new law voiding outstanding warrants unless action has been started to obtain payment on them within 2 years after their call.

The unencumbered balance in the State treasury as of today, the Governor said, is $1,940,178.

DISPOSITION OF MEMORIAL CANNON

Mr. BROOKS. Mr. President, I am in receipt of a letter from the custodian of one of the smaller State parks in the State of Illinois, in which he suggests:

Calendar No. 1402

77TH CONGRESS, 2d Session | SENATE | REPORT No. 1359

LIBRARY BUREAU OF AGRICULTURAL ECONOMICS DEPARTMENT OF AGRICULTURE

EXPEDITING THE SETTLEMENT OF CLAIMS AND ACCOUNTS INCIDENT TO CERTAIN AGRICULTURAL ADJUSTMENT PROGRAMS

MAY 20 (legislative day, MAY 15), 1942.—Ordered to be printed

Mr. HATCH, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany H. R. 5636]

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 5636) to expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes, having considered the same, report thereon favorably with the recommendation that the bill do pass.

An explanation of the bill is incorporated in the House report which is attached hereto and made a part of this report.

[H. Rept. No. 1831, 77th Cong., 2d sess.]

The Committee on Agriculture, to whom was referred the bill (H. R. 5636) to expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

Page 2, line 6, strike out the figures "$45,000" and insert in lieu thereof the figures "$25,000".

STATEMENT

This legislation is proposed for the purpose of expediting the settlement of claims and accounts incident to the agricultural adjustment programs in effect prior to January 6, 1936, under the Agricultural Adjustment Act of 1933 (48 Stat. 31), amendments thereto and related legislation, and for other purposes. It covers three items.

The first section provides a final date (120 calendar days after enactment of the legislation) for filing claims in connection with these programs and a date (180 calendar days after enactment of the legislation), after which any unobligated balance of the appropriation, "Payments for agricultural adjustment," made by the Supplemental Appropriation Act, fiscal year 1936 (49 Stat. 1116), as amended, shall be covered into the surplus fund of the Treasury, except an amount not to exceed $25,000 which shall remain available thereafter for not more than 1 calendar year for administrative expenses incident to carrying out the purposes of the act. Such expenses would include those incidental to making collections, cor-

respondence, disposition of records in State and county offices, and other work in connection with bringing to a conclusion the activities of these programs.

The second section provides for the relief of disbursing officers and certifying officers by authorizing the Comptroller General of the United States to allow credit in the accounts of disbursing officers and to refrain from raising a charge against the officers certifying vouchers for payments made in connection with such agricultural programs administered through the Agricultural Adjustment Administration.

The third section provides for the disposition of claims on the part of the United States against persons who without fraud on their part, have received payment under these programs in excess of the amounts to which they were entitled. This would be done if the Secretary of Agriculture, after such investigation as he deems necessary, certifies that to require a refund would be inequitable or that appropriate efforts to obtain such refunds have failed and there is no reasonable prospect of labor obtaining such refunds.

This legislation has been requested by the Department of Agriculture, and has been approved by the Bureau of the Budget.

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Calendar No. 1402

77TH CONGRESS
2D SESSION

H. R. 5636

[Report No. 1359]

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BUREAU OF
AGRICULTURAL ECONOMICS
U. S. DEPARTMENT OF AGRICULTURE

IN THE SENATE OF THE UNITED STATES

MARCH 17 (legislative day, MARCH 5), 1942
Read twice and referred to the Committee on Agriculture and Forestry

MAY 20 (legislative day, MAY 15), 1942
Reported by Mr. HATCH, without amendment

AN ACT

To expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to expedite the settlement of claims and accounts incident to the agricultural adjustment programs in effect prior to January 6, 1936, under the Agricultural Adjustment Act of 1933 (48 Stat. 31), amendments thereto, and related legislation, no claim shall be considered or paid from the appropriation "Payments for Agricultural Adjustment" made by the Supplemental Appropriation Act, fiscal year 1936 (49 Stat. 1116), as amended, unless presented to the Secretary of Agriculture within one hundred and twenty calendar days from the date of approval of this Act,

1 and the unobligated balance remaining in said appropriation
2 one hundred and eighty calendar days after the date of ap-
3 proval of this Act shall be covered into the surplus fund of
4 the Treasury: *Provided*, That not to exceed $25,000 of such
5 unobligated balance shall remain available thereafter for not
6 more than one calendar year for administrative expenses
7 incident to carrying out the purposes of this Act.

8 SEC. 2. That with respect to payments made in connec-
9 tion with any program (1) under the Agricultural Adjust-
10 ment Act of 1933 or amendments thereto or other legislation
11 relating to programs inaugurated prior to January 6, 1936,
12 which were administered through the Agricultural Adjustment
13 Administration; (2) under the appropriation "Payments for
14 Agricultural Adjustment" as made in the Supplemental
15 Appropriation Act, fiscal year 1936, as amended; or (3)
16 under title IV of the Agricultural Adjustment Act of 1938
17 (52 Stat. 70), amendments thereto and related legislation,
18 the Comptroller General of the United States is hereby author-
19 ized to allow credit in the accounts of the disbursing officers
20 who made the payments and no charge shall be raised against
21 the certifying officers who certified the vouchers: *Provided*,
22 That the Secretary of Agriculture certifies that such pay-
23 ments were made in good faith and without fraud or collusion
24 on the part of such disbursing officers or certifying officers.

25 SEC. 3. That where it appears payments mentioned in

1 section 2 hereof have been made in excess of the amounts to
2 which the persons to whom such payments were made
3 were entitled, without fraud on their part, no action shall be
4 taken by the United States to recover such excess payments
5 if the Secretary of Agriculture, after such investigation as he
6 deems appropriate, certifies that, considering the contribution
7 made in good faith by any such person to agricultural adjust-
8 ment compared with the contributions of other persons some-
9 what similarly situated, it would be inequitable to require
10 refund of the excessive payments; or certifies that appropriate
11 efforts to obtain such refunds have failed and there is no rea-
12 sonable prospect of later obtaining such refunds.

Passed the House of Representatives March 16, 1942.

Attest: SOUTH TRIMBLE,

Clerk.

Calendar No. 1402

77TH CONGRESS
2D SESSION

H. R. 5636

[Report No. 1359]

AN ACT

To expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes.

MARCH 17 (legislative day, MARCH 5), 1942
Read twice and referred to the Committee on Agriculture and Forestry

MAY 20 (legislative day, MAY 15), 1942
Reported without amendment

WALSH and the State of Massachusetts and the Senate of the United States.

Mr. BARKLEY. I thank the Senator for his remarks. I should state, if I have not already done so, that in all the statements made by these various persons to the Federal Bureau of Investigation and the special agents sent to Brooklyn, all of them stated, as will be shown, that they made those statements freely, without coercion and without influence or pressure brought to bear upon them to make such statements. I think that should be stated.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHEELER. I understand that even after the Federal Bureau of Investigation made the investigation—I was told this yesterday—the New York Post subsequently published a statement to the effect that this same man—Beekman—had retracted the statement which he had made to the F. B. I.; they asserted Beekman said he was forced to make a new statement by the F. B. I. This shows, in my judgment, the viciousness of the New York Post in attempting to continue to smear the Senator even after the F. B. I. made an impartial investigation. I am also informed that when the man Beekman first made the affidavit, it was made at approximately 12 o'clock at night; and I also desire to call the Senate's attention to the fact that the New York Post boasts of its part in this sordid affair—I hold in my hand a copy of the New York Post—in this manner:

> When the notorious Beekman case is prosecuted in Brooklyn County Court next week it will involve one of the highest ranking legislators in the country.

Then the New York Post continues:

> The first mention of the sensational Beekman case in which a United States Senator is linked with a Nazi spy ring, appeared in the Lion's Den, thus registering another scoop for the Post's scintillating columnist.

Then there appears a photostat.

The newspaper says:

> The jury was out 50 minutes when the verdict of guilty was announced. Judge Leibowitz said in part—

And then the Post explains that Judge Leibowitz knew that a Senator was involved. Of course, he knew that a Senator was involved. All he had to do was to read the New York Post which had carried this story saying that a Senator was going to be involved. I call attention to the fact that the man to whom the judge spoke had been running a house of degradation, and, therefore, he was one of the lowest types of individuals who could possibly be found on earth.

Mr. TOBEY. The scum of the earth.

Mr. WHEELER. Yes; as the Senator suggests, the scum of the earth.

It is reported that Judge Leibowitz said to Beekman, after the latter was convicted:

> The defendant's fate lies in his own hands. If he assists us and tells the truth and makes a clean breast of his activities and those in connection with them, and if he uncovers the whole spy ring with which he was connected, the court will give him extreme leniency. If he fails to tell the truth, I will give him the maximum of 20 years.

In other words, if this man does not make a statement detailing what Judge Leibowitz and the New York Post want, he will be given 20 years.

Some Members of the Senate have been prosecuting attorneys, as I have been. How many Members of the Senate who have prosecuted cases would believe under oath a man who was running a house of degradation—the very scum of the earth? How many decent men or women would take his word if he should attempt to smear a Member of the United States Senate, a man who has been elected by the people of the great State of Massachusetts at least five different times, if my recollection serves me correctly, and who has been Governor of his State and Lieutenant Governor of his State?

Yet this newspaper, the New York Post, publishes the statement of a man such as Beekman all over the country, attempting to give the aura of credibility and honesty to the words of a man whom no honest and decent man would believe under oath, and whom no competent official could believe unless supported by overwhelming evidence.

Some people approve official action to halt publication of some newspapers in the name of unity. I say to the Members of the Senate that this newspaper, the New York Post, and some other newspapers of similar character are doing more to promote disunity in the United States of America and they are doing more to break down the confidence of the people in the Government of the United States than anything that could be done wittingly by anyone. In one breath the New York Post shouts about democracy and the need to fight for it all over the world, and yet at the same time it is doing more to tear down democracy and to stir up racial and religious hatreds in the United States than any individual or group of individuals could possibly do. If a newspaper should be stopped because it spreads disunity or is detrimental to the waging of war, certainly the New York Post, which was aided financially by the Federal Reserve bank, should come under the ban of the Government of the United States.

I agree with the Senator from Missouri that this matter should not stop here. Some persons may say, "Well, it involves only one Senator." No; that is not correct. Let me say that, in my judgment, this is a diabolical attempt on the part of certain individuals in the city of New York to smear every Member of the Senate of the United States who has disagreed with them on matters of foreign policy. I have no apologies to make for the position I took before we got into this war. I know that there is not a Member of the Senate, and I do not think there is a Member of the House of Representatives, who does not want to do everything he possibly can and humanly can do to aid in the winning of this war in the shortest possible time. Yet a number of persons constantly attack Members of the Senate who disagreed with them prior to Pearl Harbor, and then they say they want to bring about unity in this country.

Unity in the country under those circumstances.

I hold in my hand an advertisement which appeared in the New York Herald Tribune. The headline reads as follows:

> Will you help stop votes for Hitler?

The advertisement says:

> Join us today—

and is signed by a committee of—

> Citizens for Victory. National headquarters, 8 West Fortieth Street, New York, N. Y.

The advertisement contains an appeal for money with which to carry on their campaign. I am not up for election, so it does not affect me; but they are asking money with which to carry on a campaign against candidates, whether Democrat or Republican, who do not agree with the views of this committee. If a candidate does not agree with this organization which is raising money to carry out their purpose, that candidate is to be guillotined; in their judgment that candidate is not an American, that candidate must not hold public office. The effrontery of these people, these people who are the same people who were members of the Fight for Freedom group and similar groups, who also raised money to carry on a program a few months ago before Pearl Harbor to bring this country into war.

I say that, in my judgment, it is not only an attack upon Senator WALSH, but if the Members of the Senate had permitted those responsible to get away with a smear upon Senator WALSH, it would only have been a question of time before they would have tried to smear and frame every Member of the Senate who had the courage to stand up in the Senate and vote his convictions.

This is not a personal matter as to one Senator; it is a question of whether the Members of the Senate shall permit individuals to hold up to ridicule Members of the Senate, to intimate that Members of the Senate are traitors to their country, to assert that they are guilty of the lowest kind of degredation that could be imagined by the human mind.

I agree that to bring the owner of this newspaper and those responsible for this outrage to the bar of this Senate would be far too easy on them. We should not let them off so lightly. Certainly something should be done about this matter. If a Federal judge, for example, were involved, I would say that he should be impeached. I should say that any Federal judge who made such a statement, under the conditions this man made it, should be impeached by the Congress of the United States. I doubt if there is a man in this body who would not vote for impeachment.

I say that all those who are involved in this conspiracy—for it is a conspiracy—should be prosecuted, and the lawyer, whoever he may be—if the story is true that the lawyer urged Beekman to make the statement—ought to be disbarred.

Mr. BARKLEY. Mr. President, I wish to state that the lawyer referred to, whose name I could not recall a moment ago, was one Mr. Harvey L. Strelzin. He

is the man who represented Beekman, and wrote the affidavit which Beekman said he had not read, which was not read to him, and which he does not recall having sworn to.

In regard to the New York newspapers, I think, in fairness, it ought to be said that, so far as I know, the Post is the only New York newspaper that carried this particular story.

Mr. WHEELER. Walter Winchell, who, as has been said, wears a Navy uniform, both wrote in his newspaper column and made a statement over the radio saying that the name of the man involved began with the twenty-third letter of the alphabet. He did not know, apparently, or care, that there are seven Members of the Senate whose names begin with that letter. Here is a man—Winchell—who is just as contemptible as those connected with this affair, in my judgment. He wears a naval uniform as a commander in the Navy, and yet he does not dare to show his face in public in Washington because of the libel suits already pending against him.

Mr. BARKLEY. I was speaking of newspapers and not radio commentators, because I do not listen to all of them.

I wish also to state for the record that the agents of the F. B. I. who made this investigation were Mr. R. A. Newby, Mr. H. O. Hawkins, Mr. A. F. Spigner, and other special agents. Mr. Newby came here yesterday with the Attorney General when he called upon me and gave me these papers.

I thank the Senator from Wyoming for his courtesy in yielding to me in order that I might make this statement. There is nothing further now that I wish to say about it.

Mr. NYE. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield to the Senator from North Dakota.

Mr. NYE. Mr. President, at the time the Senator from Missouri [Mr. CLARK] was on the floor I sought to interrupt to the end that there might be a clarification of certain language that had been resorted to at a dinner of the so-called overseas writers in Washington. For the purpose of the record, I am sure we should have, as reported, the language that was used by at least one of the speakers at that banquet on that evening. It was reported on March 30 in the Times-Herald, of Washington, D. C., by John O'Donnell in his column entitled "Capital Stuff," and he said:

> The significant point is that such potent Roosevelt advisers as Supreme Court Justice Felix Frankfurter and the paid personnel of the official propaganda agencies applauded lustily such declarations as—

Then comes in quotation marks this statement:

> The American Senate must be taught the facts of life. * * * The important thing is to put an end to criticism of the Roosevelt administration by whatever means may be necessary. Be as ruthless as the enemy. * * * Get him on his income tax or the Mann Act. * * * Hang him, shoot him, or lock him up in a concentration camp.

Let me say a further word. I should like to join with the Senator from Missouri and others in the insistence that we not let this matter drop here. I am sure that reasonable inquiry by the Senate will reveal the existence in this country of a secret society that has been engaged for the last 2 years in an undertaking to gather such information as would permit the smearing of individual Members of the Senate. I have in my possession information that goes directly to the existence of such a society, and I hope, not now—for this is not the time to be doing it, I know—but before we are done with this thing, I hope the Senate will provide for a study of the motives lying back of this experience which has befallen a very respected Member of this body.

Mr. WHEELER. Mr. President, when the Senator from Kentucky, our leader, was speaking he said he knew of no other newspaper in the city of New York, or in the country, which mentioned this article. I think it is true that no other newspaper carried the story, but I should like to call attention to the fact that Marshall Field's PM, in the city of New York, did say that the Senator mentioned in this story, known as Senator X, was Senator WALSH. They did not dare to carry the story, but they did carry in their newspaper the statement that the mysterious Senator X was Senator WALSH, of Massachusetts.

CORRECTION OF THE RECORD

Mr. WAGNER. Mr. President, on May 1, at page 3988 and following of the RECORD, I inserted the text of an important decision by the War Labor Board on the maintenance-of-membership issue. Due to an oversight, certain passages in the majority opinion, as well as the signatures thereto, did not appear in the RECORD, although they were offered for printing. I ask unanimous consent that the permanent RECORD be corrected accordingly.

The VICE PRESIDENT. The correction will be made.

COMPENSATION FOR OVERTIME WORK OF PER ANNUM GOVERNMENTAL EMPLOYEES

The VICE PRESIDENT laid before the Senate a letter from the Civil Service Commissioners, transmitting a draft of proposed legislation purposing to provide a greater degree of uniformity and equity in the compensation of the per annum employees of the Government for overtime work, which, with an accompanying paper, was referred to the Committee on Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were presented and referred as indicated:

By Mr. TYDINGS:

Petitions, numerously signed, of sundry citizens of the State of Maryland, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. AIKEN:

The petition of Rev. Frank W. Grippin, minister of the First Methodist Church, and 60 other citizens, all of Rutland, Vt., praying for the prompt enactment of the so-called Sheppard bill, the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

PROHIBITION OF LIQUOR SALES AND SUPPRESSION OF VICE AROUND MILITARY CAMPS—PETITION

Mr. CAPPER. Mr. President, I ask unanimous consent to present a petition signed by 158 citizens of Kansas City, Kans., urging the enactment of Senate bill 860. I ask that the body of the petition, without the signatures, be printed in the RECORD and that the petition be appropriately referred.

There being no objection, the petition was ordered to lie on the table and to be printed in the RECORD, without the signatures attached, as follows:

To the Members of the Senate and House of Representatives of the Congress of the United States:

Whereas in the War Act of 1917 the Congress of the United States included legislation forbidding the exploitation of the men in the Army and Navy by liquor and commercialized vice, even though liquor was then forbidden in any military unit; and

Whereas in the Selective Service Act the Congress of 1940 called the young men of the present time to train for defense of our Nation, if need be, and there now exists for these young men defenders no defense from the activities of what Gen. George C. Marshall, Chief of Staff of the Army of the United States, referred to as "a sordid business for the accumulation of money," namely, the traffic in alcoholic beverages, and since beer is now sold in the camps by Government authority, and since commercialized prostitution in camp areas threatens health, morals, and efficiency of service: Now therefore

We, the undersigned citizens of Kansas City, State of Kansas, do respectfully petition you to vote for S. 860, as a contribution to a wholesome defense program and a reenactment of legislation similar to that of 1917 and so give to the young men of 1942 the protection their fathers had in 1917.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CONNALLY, from the Committee on Foreign Relations:

S. J. Res. 140. Joint resolution granting permission to Hugh S. Cumming, Surgeon General (retired) of the United States Public Health Service, to accept certain decorations bestowed upon him by the Republics of Colombia, Haiti, and Chile; without amendment.

By Mr. HATCH, from the Committee on Agriculture and Forestry:

H. R. 5636. A bill to expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes; without amendment (Rept. No. 1359).

By Mr. BROWN, from the Committee on Banking and Currency:

H. R. 7008. A bill to authorize the Reconstruction Finance Corporation to issue notes, bonds, and debentures in the sum of $5,000,000,000 in excess of existing authority; with amendments (Rept. No. 1361).

By Mr. McNARY, from the Committee on Commerce:

S. Res. 233. Resolution for an inquiry relative to the training of air pilots for military and naval service (submitted by Mr. BROOKS

order that they may have the benefit of any rise in prices, whatever it may be.

Mr. DANAHER. Will the Senator yield for a question?

Mr. SMITH. I yield.

Mr. DANAHER. Granted the bill passes, will not the Commodity Credit Corporation be forbidden to sell or otherwise dispose of any of the crops pledged against the notes?

Mr. SMITH. Except when the man who made the note and furnished the collateral indicates that he wants that done. I think that is perfectly clear.

Mr. DANAHER. Is there anything in the present law which makes such a prohibition legislative?

Mr. SMITH. Under the present law, the loans expire some time in June.

Mr. DANAHER. Yes.

Mr. SMITH. Thereafter, the Government can take them over if it should see fit to do so. I simply want to have the notes extended for a year.

Mr. TAFT. Will the Senator yield?

Mr. SMITH. I yield.

Mr. TAFT. Let me ask whether the note maker would have to pay any additional carrying charges during the year, or would it all be carried over?

Mr. SMITH. It would all be carried over.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill, S. 2495, was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Commodity Credit Corporation is hereby authorized and directed to provide for the extension of the maturity date of all notes evidencing a loan made or arranged for by the Corporation on cotton, corn, and wheat of the 1941 crop. Such extension shall be for a period which expires 1 year after the date of enactment of this act. During the period of such extension, the Corporation shall not sell or otherwise dispose of any cotton, corn, or wheat of the 1941 crop with respect to which any such note is outstanding except upon request of the person liable on the note.

BILL PASSED OVER

The bill (S. 2471) to amend the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended, with respect to its application to officers and employees of educational, religious, eleemosynary, philanthropic, and cultural institutions, establishments, and agencies, commonly known as the Hatch Act, was announced as next in order.

Mr. HOLMAN. I request that the bill go over until I have a chance to study it.

The PRESIDING OFFICER. The bill will be passed over.

ROY CHANDLER

The bill (S. 2310) for the relief of Roy Chandler was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Roy Chandler, late private, Company G, Thirty-ninth Regiment United States Infantry, shall be held and considered to have been honorably discharged from the military service of the United States as a member of said organization on August 17, 1918: *Provided*, That no back pay, pension, bounty, or other emolument shall accrue prior to the passage of this act.

ELIMINATION OF MONTHLY REPORT OF NUMBER OF MEN IN TRAINING AND SERVICE

The bill (S. 2437) to amend section 9 of the act of August 18, 1941 (Public Law 213, 77th Cong.), by striking out the proviso thereto which requires a monthly report by the Secretary of War to the Congress of the number of men in active training and service, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 9 of the act of August 18, 1941 (Public Law 213, 77th Cong.), be, and the same is hereby, amended by striking out the proviso thereto, so that the said section, as amended, shall read:

"SEC. 9. During the existence of the authority conferred by section 2 of this joint resolution and for 6 months thereafter the limitation on the number of men who may be in active training and service at any one time under section 3 (b) of the Selective Training and Service Act of 1940 is hereby suspended."

EXCHANGE OF LANDS IN PHILADELPHIA

The bill (S. 2488) to authorize the exchange of lands in the city of Philadelphia, Pa., between the War Department and the city of Philadelphia, trustee under the will of Stephen Girard, deceased, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to convey to the city of Philadelphia, trustee under the will of Stephen Girard, deceased, all right, title, and interest of the United States in and to a triangular parcel of land containing 13,715.84 square feet, more or less, situ ted at the northeast corner of and comprising a portion of the Philadelphia Quartermaster Depot, Pennsylvania, and fronting on Oregon Avenue east of Twenty-first Street in the city of Philadelphia, Pa., and to accept in exchange therefor the fee-simple title to a strip of land containing 9,819.75 square feet, more or less, and being the northern portion of what was formerly Johnston Street west of Twentieth Street in the City of Philadelphia, Pa., the exchange herein authorized to be made under such terms and conditions as the Secretary of War may prescribe.

The bill (S. 2369) for the acquisition of Indian lands required in connection with the construction, operation, and maintenance of electric transmission lines and other works, Parker Dam power project, Arizona-California, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in aid of the construction of the Parker Dam power project, there is hereby granted to the United States, subject to the provisions of this act, such right, title, and interest of the Indians as may be required in and to such tribal and allotted lands as may be designated by the Secretary of the Interior from time to time for the construction, operation, and maintenance of electric transmission lines and other works of the project or for the relocation or reconstruction of properties made necessary by the construction of the project.

SEC. 2. As lands or interests in lands are designated from time to time under this act, the Secretary of the Interior shall determine the amount of money to be paid to the Indians as just and equitable compensation therefor. The amounts due the tribe and the individual allottees or their heirs or devisees shall be paid from funds now or hereafter made available for the Parker Dam power project to the superintendent of the appropriate Indian agency, or such other officer as may be designated by the Secretary of the Interior, for credit on the books of such agency to the accounts of the tribe and the individuals concerned.

SEC. 3. Funds deposited to the credit of allottees, their heirs, or devisees, may be used, in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements, or the relocation of existing improvements or construction of new improvements on the lands so acquired for the allottees or heirs whose lands and improvements are acquired under the provisions of this act. Lands so acquired shall be held in the same status as those from which the funds were derived, and shall be nontaxable until otherwise provided by Congress.

SEC. 4. The Secretary of the Interior is hereby authorized to perform any and all acts and to prescribe such regulations as he may deem appropriate to carry out the provisions of this act.

DISPOSITION OF PROPERTY OF INDIANS DYING INTESTATE WITHOUT HEIRS

The Senate proceeded to consider the bill (H. R. 4533) to provide for the disposition of trust or restricted estates of Indians dying intestate without heirs, which had been reported from the Committee on Indian Affairs, with amendments, on page 2, in line 1, after the word "estate", to insert "and subject to all valid existing agricultural, surface, and mineral leases and the rights of any person thereunder"; in line 16, after the word "sold" and the comma, to insert "subject to all valid existing agricultural, surface, and mineral leases and the rights of any person thereunder"; on page 3, in line 1, after the words "United States" and the comma, to insert "subject to all valid existing agricultural, surface, and mineral leases and the rights of any person thereunder"; in line 16, after the word "designate" and the comma, to insert "subject to all valid existing agricultural, surface, and mineral leases and the rights of any person thereunder"; after line 18, to insert the following new section:

SEC. 3. The provisions of this act shall not apply to the Indians of the Five Civilized Tribes or the Osage Reservation, in Oklahoma.

On page 3, in line 22, after the word "Sec.", to strike out the numeral "3" and insert "4."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

TLINGIT AND HAIDA INDIANS OF ALASKA

The bill (H. R. 5484) for the relief of the Tlingit and Haida Indians of Alaska was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF PHILADELPHIA, BALTIMORE & WASHINGTON RAILROAD CO. TRACK, WASHINGTON, D. C.

The bill (S. 2526) to amend section 1 of the act entitled "An act to authorize

the Philadelphia, Baltimore & Washington Railroad Co. to extend its present track connection with the United States Navy Yard was announced as next in order.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives which is identical with the Senate bill and deals with the same subject matter.

The bill (H. R. 7097) to amend section 1 of the act entitled "An act to authorize the Philadelphia, Baltimore & Washington Railroad Co. to extend its present track connection with the United States navy yard so as to provide adequate railroad facilities in connection with the development of Buzzards Point as an industrial area in the District of Columbia, and for other purposes," approved June 18, 1932 (47 Stat. 322), as amended by the act approved June 20, 1939 (53 Stat. 849), was read twice by title.

The PRESIDING OFFICER. Without objection the bill just laid before the Senate will be substituted for Senate bill 2526. Is there objection to proceeding to consider House bill 7097?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2526 will be indefinitely postponed.

ACCEPTANCE OF CERTAIN DECORATIONS BY HUGH S. CUMMING

The joint resolution (S. J. Res. 140) granting permission to Hugh S. Cumming, Surgeon General (retired) of the United States Public Health Service, to accept certain decorations bestowed upon him by the Republics of Colombia, Haiti, and Chile, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That Hugh S. Cumming, Surgeon General (retired) of the United States Public Health Service, be authorized to accept and wear the decoration of "Order of Boyacá" tendered by His Excellency, the Ambassador from Colombia, in the name of the Republic of Colombia; the decoration of "Honneur et Mérito" (grade of commander), tendered by His Excellency, the Minister from Haiti, in the name of the Republic of Haiti; and the decoration "El Merito," tendered by His Excellency, the Ambassador from Chile, in the name of the Republic of Chile, all of which decorations have been conferred upon Surg. Gen. Hugh S. Cumming (retired), by the Republics mentioned, for scientific service, and that the Department of State is hereby authorized and permitted to deliver the above-mentioned decorations to Hugh S. Cumming, Surgeon General (retired) of the United States Public Health Service.

SETTLEMENT OF AGRICULTURAL ADJUSTMENT ACCOUNTS

The bill (H. R. 5636) to expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

ALFRED SMITH

The bill (H. R. 4629) for the relief of Alfred Smith was considered, ordered to a third reading, read the third time, and passed.

J. J. McINTOSH

The bill (H. R. 5329) for the relief of J. J. McIntosh, was considered, ordered to a third reading, read the third time, and passed.

GLENN A. HOSS

The bill (H. R. 5772) for the relief of Glenn A. Hoss was considered, ordered to a third reading, read the third time, and passed.

MRS. JULIA CAMPBELL

The bill (H. R. 5847) for the relief of Mrs. Julia Campbell was considered, ordered to a third reading, read the third time, and passed.

CECILE McLAUGHLIN

The Senate proceeded to consider the bill (H. R. 5496) for the relief of Cecile McLaughlin, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of" to strike out "$2,000" and insert "$1,090."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

KATHRYN O. SWEENEY AND OTHERS

The bill (H. R. 488) for the relief of Kathryn O. Sweeney and others, was considered, ordered to a third reading, read the third time, and passed.

LILLIAN LAST

The bill (H. R. 1736) for the relief of Lillian Last was considered, ordered to a third reading, read the third time, and passed.

DAVID CARON

The Senate proceeded to consider the bill (H. R. 5454) for the relief of David Caron, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of", to strike out "$3,500" and insert "$2,500."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

HENRY DALEY, GUARDIAN FOR JAMES RAY DALEY AND NORMAN FRANKLIN DALEY

The Senate proceeded to consider the bill (H. R. 5499) for the relief of Henry Daley, guardian for James Ray Daley and Norman Franklin Daley, which had been reported from the Committee on Claims with amendments, on page 1, at the beginning of line 7, to strike out "$3,000" and insert "$1,800"; and at the beginning of line 8 to strike out "$1,500" and insert "$500."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

BILL PASSED OVER

The bill (S. 2186) for the relief of Viola Dale was announced as next in order.

Mr. HUGHES. Mr. President, at the request of the junior Senator from Arizona [Mr. McFARLAND], who is not present, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

JAMES D. G. ALEXANDER

The bill (H. R. 1757) for the relief of James D. G. Alexander, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 5794) for the relief of Mrs. Julia Johnson was announced as next in order.

Mr. DANAHER. Mr. President, is there anything in the report of the committees, let me ask the member of the Claims Committee who is in charge of the bill, to indicate how old the victim of the accident is or was?

The PRESIDING OFFICER. The Senator from Illinois [Mr. BROOKS], who reported the bill, is not now in the chamber.

Mr. DANAHER. I do not wish to object to the bill or have consideration postponed until the Senator's return; but I ask that it be temporarily passed over so that I may examine the report.

The PRESIDING OFFICER. Without objection, the bill will be temporarily passed over.

Mr. DANAHER subsequently said: Mr. President, the present occupant of the chair will doubtless recall that I asked to have Calendar No. 1416, House bill 5794, for the relief of Mrs. Julia Johnson, passed over. The bill would authorize an appropriation in behalf of Mrs. Julia Johnson, mother of Roy Owen, deceased. Examination of the report does not indicate how old the deceased was; it does not indicate Mrs. Johnson is, in fact, the mother, but rather indicates she is the stepmother of the deceased, and it hence does not become apparent that she is the person solely entitled to the avails of the fund to be appropriated. I therefore believe that the RECORD should show that the payment, in fact, is to be to this particular person, as guardian of a minor son, or in some conclusively representative capacity, and on that account, until such fact be made apparent, I shall ask that the bill go over.

The PRESIDING OFFICER. The bill has been passed over.

JAMES B. SHULER

The Senate proceeded to consider the bill (S. 1953) for the relief of James B. Shuler, which had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and to insert the following:

That jurisdiction is hereby conferred upon the United States District Court for the Eastern District of South Carolina to hear, determine, and render judgment, as if the United States were suable in tort, upon the claim of James B. Shuler, of McClellanville, S. C., in his individual capacity and as husband and legal representative of the estate of Elise Morrison Shuler, deceased, and as father of Ellie S. Shuler, deceased, against the United States of America for alleged damages as the result of a collision between the automobile of James B. Shuler and a Civilian Conservation

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[PUBLIC LAW 589—77TH CONGRESS]

[CHAPTER 349—2D SESSION]

[H. R. 5636]

AN ACT

To expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to expedite the settlement of claims and accounts incident to the agricultural adjustment programs in effect prior to January 6, 1936, under the Agricultural Adjustment Act of 1933 (48 Stat. 31), amendments thereto, and related legislation, no claim shall be considered or paid from the appropriation "Payments for Agricultural Adjustment" made by the Supplemental Appropriation Act, fiscal year 1936 (49 Stat. 1116), as amended, unless presented to the Secretary of Agriculture within one hundred and twenty calendar days from the date of approval of this Act, and the unobligated balance remaining in said appropriation one hundred and eighty calendar days after the date of approval of this Act shall be covered into the surplus fund of the Treasury: *Provided*, That not to exceed $25,000 of such unobligated balance shall remain available thereafter for not more than one calendar year for administrative expenses incident to carrying out the purposes of this Act.

SEC. 2. That with respect to payments made in connection with any program (1) under the Agricultural Adjustment Act of 1933 or amendments thereto or other legislation relating to programs inaugurated prior to January 6, 1936, which were administered through the Agricultural Adjustment Administration; (2) under the appropriation "Payments for Agricultural Adjustment" as made in the Supplemental Appropriation Act, fiscal year 1936, as amended; or (3) under title IV of the Agricultural Adjustment Act of 1938 (52 Stat. 70), amendments thereto and related legislation, the Comptroller General of the United States is hereby authorized to allow credit in the accounts of the disbursing officers who made the payments and no charge shall be raised against the certifying officers who certified the vouchers: *Provided*, That the Secretary of Agriculture certifies that such payments were made in good faith and without fraud or collusion on the part of such disbursing officers or certifying officers.

SEC. 3. That where it appears payments mentioned in section 2 hereof have been made in excess of the amounts to which the persons to whom such payments were made were entitled, without fraud on their part, no action shall be taken by the United States to recover such excess payments if the Secretary of Agriculture, after such investigation as he deems appropriate, certifies that, considering the contribution made in good faith by any such person to agricultural adjustment compared with the contributions of other persons some-

what similarly situated, it would be inequitable to require refund of the excessive payments; or certifies that appropriate efforts to obtain such refunds have failed and there is no reasonable prospect of later obtaining such refunds.

Approved, June 5, 1942.